

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** The Department of Veterans Affairs, SAO West - Network Contracting Office (NCO) 22, for the VA Greater Los Angeles Healthcare System (VAGLAHS) request the approval of this "Justification for Other Than Full and Open Competition" (JOFOC) for purchase request number 691-15-1-208-0002.
2. **Nature and/or Description of the Action Being Processed:** This action is a Justification and Approval (J&A) in pursuant to FAR Subpart 13.106-1(b) (1) (i), single source award for preventive maintenance and repair services of Alaris Infusion Pumps. There are a total 945 Infusion Pumps, including five (5) different models (8015, 8100, 8110, 8120, and 8300) that require Preventive Maintenance service. This procurement will be awarded as a new, Base with 4 Option years, contract on a Firm Fixed Price (FFP) basis in accordance with (IAW) FAR Subpart 12.207(a).
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Purchase request number 691-15-1-208-0002 is for the preventive maintenance with incidental repair services for the following 945 Government owned Alaris Infusion Pumps located throughout the Greater Los Angeles Veteran Affairs Medical Center:

Model Number	Quantity
8015	333
8100	500
8110	12
8120	50
8300	50

4. **Statutory Authority Permitting Other than Full and Open Competition:** There is Only One Responsible Source and No Other Supplies or Services that Will Satisfy Agency Requirements. The statutory authority for restricting competition under Simplified Acquisition Procedures (SAP) Test Program for Sole Source, commercial item acquisitions above the Simplified Acquisition Threshold (SAT), currently \$150,000, is 41 U.S.C. 1903, as implemented by FAR 13.500(a). This subpart authorizes, as a test program, use of simplified procedures for the acquisition of supplies and services in amounts greater than the simplified acquisition threshold but not exceeding \$6.5 million (\$12 million for acquisitions as described in 13.500(e)), including options, if the contracting officer reasonably expects, based on the nature of the supplies or services sought, and on market research, that offers will include only commercial items.

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 13.500(a);
- () (2) Unusual and Compelling Urgency per FAR 6.302-2;
- () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- () (4) International Agreement per FAR 6.302-4
- () (5) Authorized or Required by Statute FAR 6.302-5;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

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5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** CareFusion, the Original Equipment Manufacturer (OEM) of the Alaris Infusion Pumps has Identified CareFusion 2200, Inc. as the CareFusion Representative certified and authorized to provide service to the Greater Los Angeles Veterans Affairs Medical Center owned Alaris Infusion Pumps. If another Contractor were to provide these services, there would be an increased risk of receiving non-original equipment manufacturer (OEM) replacement parts and form, fit, and functionality. CareFusion has confirmed that they only delegate authority to provide services to authorize CareFusion trained and certified personnel or CareFusion Representatives.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market research was conducted on the Internet, www.FBO.gov, www.fpds.gov, and www.carefusion.com, which all affirmed that CareFusion 2200, Inc. is the only CareFusion Representative authorized that can fulfill this requirement. Network Contracting Office 22 conducted a previous award, VA262-14-P-4169 for the exact services. The procurement was posted on www.fbo.gov yielding only two (2) large business quotes, a CareFusion Representative and an untrained and non-certified CareFusion Contractor. CareFusion 2200, Inc. received the award.
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Other Actions: For the reasons set forth in Paragraph 5, the Department of Veterans Affairs (VA) has no plans at this time to compete future contracts for the types of services covered by this Justification and Approval. If another potential source emerges, the VA will consider and assess whether competition for future requirements is feasible

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated price for the base year of this service contract is [REDACTED], with an estimated total of [REDACTED] for the base and four (4) one-year option periods, in which each option year is priced at [REDACTED]. In accordance with FAR Subpart 13.106-3(2), the estimated cost of the contract is anticipated to be deemed fair and reasonable based on historical pricing data and commercial market comparative pricing.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted, see paragraph 6, which details the level of market research that was conducted. A notice of intent will be posted on www.fbo.gov.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** CareFusion 2200, Inc. is the only authorized CareFusion Representative on the Greater Coast capable of meeting this requirement IAW the OEM parts and specifications. Market research and FBO posting responses from purchase order number VA262-14-P-4169 yielded two (2) submitted quotes. Additionally, preventive and corrective maintenance services can be performed on CareFusion pumps by non-CareFusion authorized contractors with an increased cost of parts due to CareFusion refuses to authorize distributors to re-sell their replacement parts. CareFusion is the sole provider of replacement parts for Alaris Infusion Pumps.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

No sources expressed in writing an interest in this acquisition.

11. Statement of Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making Subsequent Acquisitions for the Supplies or Services Required:

For the reasons set forth in Paragraph 5, the Department of Veterans Affairs (VA) has no plans at this time to compete future contracts for the types of services covered by this Justification and Approval. If another potential source emerges, the VA will assess whether competition for future requirements is feasible.

12. Requirements Certification - IAW FAR 6.303-2(c):


I certify that the requirement outlined in this justification is a bona fide need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Patricia Tang
Biomedical Engineer

7/24/14
Date


13. Approvals IAW VHAPM, Volume Six, Chapter VI, SOP 3.2.1:

- a. **Contracting Officer's Certification:** (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Layton D. Matthews
Contract Specialist
NCO 22 Services Acquisitions 2 Team

8/19/14
Date

- b. **Acquisition Manager's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.


Kevin Blanchard
Director of Contracting
NCO 22

8/19/14
Date